

Agencies with Overflight Restrictions:

California Department of Fish and Game (CDF&G)

Fish and Game Code 10501.5(a)

“It is unlawful to fly any aircraft, including any airplane or helicopter...less than 1,000 feet above water or land over the California Sea Otter Game Refuge...except for rescue operations, in case of any emergency, or for scientific or filmmaking purposes under a permit issued by the department after a review of potential biological impacts. The Sea Otter Game Refuge requires pilots to fly above 1000’ and extends inland to Highway 1 and out to 3 nautical miles in designated areas.

Monterey Bay National Marine Sanctuary (MBNMS)

15 CFR, Part 922, Subpart M, Appendix C

Pilots are required to fly above 1000’ in four designated over flight restriction zones:

1. From mean high water out to 3 nautical miles between a line extending from Point Santa Cruz on a southwesterly heading of 220 degrees and a line extending from 2 nautical miles north of Pescadero Point on a southwesterly heading of 240 degrees.
2. From mean high water out to 3 nautical miles between a line extending from the Carmel River mouth on a westerly heading of 270 degrees and a line extending due west along latitude 35° 33’ 17.5612” off of Cambria.
3. From mean high water and within a 5 nautical mile arc drawn from a center point at the end of Moss Landing Pier.
4. Over the waters of Elkhorn slough east of the Highway 1 bridge to Elkhorn Road.

See attached map.

15 CFR, Part 922, Subpart M, §922.132

It is unlawful for any person to take any marine mammal, sea turtle or seabird in or above the Sanctuary, except as permitted under the Marine Mammal Protection Act, the Endangered Species Act, and the Migratory Bird Treaty Act. “Take” means: (1) if listed as endangered or threatened pursuant to the Endangered Species Act: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect or injure, or to attempt to engage in any such conduct; (2) For any other: to harass, hunt, capture, kill, collect or injure, or to attempt to engage in any such conduct.

Gulf of the Farallones National Marine Sanctuary (GFNMS)

15 CFR, Part 922, Subpart H, §922.82

Pilots are required to fly above 1000’ within 1 nautical mile of the Farallon Islands, Bolinas Lagoon, or any Area of Special Biological Significance (ASBS), as designated by the State of California (except to transport persons or supplies to or from the Islands or for enforcement purposes). *See attached map and GPS coordinates.*

U.S. Fish and Wildlife Service (USFWS)

50 CFR 27.34 (within a wildlife refuge)

“The unauthorized operation of aircraft, including sail planes and hang gliders, at altitudes resulting in harassment of wildlife, or the unauthorized landing or take-off on a national wildlife refuge, except in an emergency, is prohibited. National wildlife refuge boundaries are delineated on updated FAA aeronautical charts.”

50 CFR 19.11 (not on a wildlife refuge)

“Except as otherwise authorized by the Fish and Wildlife Act of 1956 as amended, no person shall...(2) use an aircraft to harass any wildlife; or...” Definition: 19.4: Harass means to disturb, worry, molest, rally, concentrate, harry, chase, drive, herd, or torment.”